



Reprinted
February 4, 2004

SENATE BILL No. 210

DIGEST OF SB 210 (Updated February 3, 2004 4:15 pm - DI 102)

Citations Affected: IC 6-1.1; IC 36-6; noncode.

Synopsis: Qualification of assessing personnel. Requires the county assessor to perform the duties of a trustee-assessor related to the assessment of real property if the trustee-assessor fails to attain a required assessor-appraiser certification. Allows the county fiscal body to adjust appropriations to reflect the change in duties. Prohibits a trustee-assessor who has not attained a "level two" assessor-appraiser certification from seeking another term until the certification is obtained. Allows a person who fills a vacancy in the office of trustee-appraiser when the remaining length of the term is less than two years to have two years after appointment or selection to obtain a "level two" certification.

Effective: July 1, 2004.

Young R Michael, Lawson C, Hume

January 8, 2004, read first time and referred to Committee on Finance.
January 29, 2004, amended, reported favorably — Do Pass.
February 3, 2004, read second time, amended, ordered engrossed.

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SB 210—LS 6701/DI 52+



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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 210

A BILL FOR AN ACT to amend the Indiana Code concerning
taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-1.1-35-1.1, AS AMENDED BY P.L.1-2004,
2 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2004]: Sec. 1.1. (a) Each county assessor and each elected
4 assessor who has not attained the certification of a "level two"
5 assessor-appraiser under IC 6-1.1-35.5 must employ at least one (1)
6 certified "level two" assessor-appraiser.

7 (b) Each elected county assessor, township assessor, or elected
8 trustee-assessor must:

9 (1) attain the certification of a "level one" assessor-appraiser
10 within one (1) year after taking office; and

11 (2) attain the certification of a "level two" assessor-appraiser
12 within two (2) years after taking office.

13 (c) ~~At~~ **A county assessor or trustee-assessor township assessor**
14 who does not comply with ~~this~~ subsection (b) forfeits the assessor's ~~or~~
15 ~~trustee-assessor's~~ office.

16 ~~(c)~~ **(d) A county assessor or township assessor or trustee-assessor**
17 appointed to fill a vacancy resulting from a forfeiture of office under

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subsection ~~(b)~~ (c) is subject to the requirements of subsection (b).

(e) If a trustee-assessor fails to comply with subsection (b), the county assessor shall perform the duties of the trustee-assessor related to the assessment of real property until the trustee-assessor attains the required certification.

(f) The county fiscal body may adjust the appropriations to the trustee-assessor and the county assessor for assessment services for the duration of a change in duties under subsection (e) to recognize the change in duties.

(g) Except as provided in subsection (h), a trustee-assessor who fails to attain the certification of a "level two" assessor-appraiser before the end of the trustee-assessor's term of office may not seek another term as trustee-assessor until both "level one" and "level two" assessor-appraiser certificates have been obtained.

(h) Notwithstanding subsection (g), a person who:

(1) is appointed or selected under IC 3-13 to fill a vacancy in the office of trustee-assessor when the remaining length of the term is less than two (2) years; and

(2) has not attained the certification of a "level two" assessor-appraiser before the end of the term to which the person was appointed or selected;

may seek election to the office of trustee-assessor.

(i) A person described in subsection (h) must attain the certification of a "level two" assessor-appraiser not later than two (2) years after the date the person was appointed or selected to fill a vacancy in the office of trustee-assessor.

SECTION 2. IC 36-6-4-2, AS AMENDED BY P.L.1-2004, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 2. (a) A township trustee shall be elected under IC 3-10-2-13 by the voters of each township. The trustee is the township executive.

(b) The township trustee must reside within the township as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The trustee forfeits office if the trustee

~~(1) ceases to be a resident of the township. or~~

~~(2) serves as township assessor under IC 36-6-5-2 and fails to comply with IC 6-1.1-35-1.1.~~

(c) The term of office of a township trustee is four (4) years, beginning January 1 after election and continuing until a successor is elected and qualified.

SECTION 3. [EFFECTIVE JULY 1, 2004] An elected county assessor, township assessor, or township trustee-assessor is

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1 required to comply with the certification requirements of
2 IC 6-1.1-35-1.1, as amended by this act, only if the assessor or
3 trustee-assessor is elected to a new term of office that begins after
4 June 30, 2004.

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COMMITTEE REPORT

Madam President: The Senate Committee on Finance, to which was referred Senate Bill No. 210, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to SB 210 as introduced.)

BORST, Chairperson

Committee Vote: Yeas 12, Nays 0.

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SENATE MOTION

Madam President: I move that Senate Bill 210 be amended to read as follows:

Page 2, line 13, after "assessor" insert **"until both "level one" and "level two" assessor-appraiser certificates have been obtained"**.

(Reference is to SB 210 as printed January 30, 2004.)

YOUNG R MICHAEL

 SENATE MOTION

Madam President: I move that Senate Bill 210 be amended to read as follows:

Page 2, line 10, after "(g)" insert **"Except as provided in subsection (h),"**.

Page 2, between lines 13 and 14, begin a new paragraph and insert: **"(h) Notwithstanding subsection (g), a person who:**

(1) is appointed or selected under IC 3-13 to fill a vacancy in the office of trustee-assessor when the remaining length of the term is less than two (2) years; and

(2) has not attained the certification of a "level two" assessor-appraiser before the end of the term to which the person was appointed or selected;

may seek election to the office of trustee- assessor.

(i) A person described in subsection (h) must attain the certification of a "level two" assessor-appraiser not later than two (2) years after the date the person was appointed or selected to fill a vacancy in the office of trustee-assessor."

(Reference is to SB 210 as printed January 30, 2004.)

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